

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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IN RE: '318 PATENT INFRINGEMENT LITIGATION

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) C. A. No. 05-356 (KAJ)  
) (consolidated)

**DEFENDANTS PAR PHARMACEUTICAL, INC.'S AND  
PAR PHARMACEUTICAL COMPANIES, INC.'S JOINDER IN DEFENDANT MYLAN'S  
REPLY IN SUPPORT OF ITS RULE 12(c) MOTION FOR JUDGMENT ON THE  
PLEADINGS DISMISSING PLAINTIFFS' WILLFUL INFRINGEMENT CLAIM OR, IN  
THE ALTERNATIVE, TO BIFURCATE AND STAY DISCOVERY  
ON SUCH CLAIM**

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On December 29, 2005, defendants Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. ("Par") moved this Court pursuant to Fed. R. Civ. P. 12(c) for an Order dismissing plaintiffs' willful infringement claim or, in the alternative, to bifurcate and stay discovery on such claim (D.I. 69). By its motion, Par joined in and incorporated by reference defendants Mylan Pharmaceuticals Inc.'s and Mylan Laboratories Inc.'s Rule 12(c) Motion for Judgment on the Pleadings Dismissing Plaintiffs' Willful Infringement Claim or, in the Alternative, to Bifurcate and Stay Discovery on Such Claim (D.I. 57).

On January 24, 2006, Mylan filed its Reply In Support of Defendant Mylan's Rule 12(c) Motion for Judgment on the Pleadings Dismissing Plaintiffs' Willful Infringement Claim or, in the Alternative, To Bifurcate and Stay Discovery On Such Claim (D.I. 85). Par hereby joins in and incorporates by reference defendant Mylan's Reply as if fully set forth herein.

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

Barbara S. Wahl  
Richard J. Berman  
D. Jacques Smith  
Janine A. Carlan  
John K. Hsu  
ARENT FOX PLLC  
1050 Connecticut Avenue, NW  
Washington, DC 20036  
202-857-6000

Dated: January 25, 2006  
716764

By: /s/ Philip A. Rovner

Philip A. Rovner (# 3215)  
Hercules Plaza  
P.O. Box 951  
Wilmington, DE 19899-0951  
302-984-6000  
E-mail: provner@potteranderson.com

Attorneys for Defendants  
Par Pharmaceutical, Inc. and  
Par Pharmaceutical Companies, Inc.

**IN THE UNITED STATES DISTRICT COURT  
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**CERTIFICATE OF SERVICE**

I, Philip A. Rovner, hereby certify that on January 25, 2006, the within document was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following as indicated and that the document is available for viewing and downloading from CM/ECF.

**BY E-MAIL AND HAND DELIVERY**

Steven J. Balick, Esq.  
John G. Day, Esq.  
Ashby & Geddes  
222 Delaware Avenue  
17<sup>th</sup> Floor  
Wilmington, DE 19899  
[sbalick@ashby-geddes.com](mailto:sbalick@ashby-geddes.com)  
[jday@ashby-geddes.com](mailto:jday@ashby-geddes.com)

Josy W. Ingersoll, Esq.  
John W. Shaw, Esq.  
Karen E. Keller, Esq.  
Young Conaway Stargatt & Taylor, LLP  
The Brandywine Building  
1000 West Street, 17<sup>th</sup> Floor  
P. O. Box 391  
Wilmington, DE 19899-0391  
[jingersoll@ycst.com](mailto:jingersoll@ycst.com)  
[jshaw@ycst.com](mailto:jshaw@ycst.com)  
[kkeller@ycst.com](mailto:kkeller@ycst.com)

Mary B. Matterer, Esq.  
Morris James Hitchens & Williams LLP  
222 Delaware Avenue, 10<sup>th</sup> Floor  
Wilmington, DE 19801  
[mmatterer@morrisjames.com](mailto:mmatterer@morrisjames.com)

Richard L. Horwitz, Esq.  
Potter Anderson & Corroon LLP  
P.O. Box 951  
Hercules Plaza  
Wilmington, DE 19899  
[rhorwitz@potteranderson.com](mailto:rhorwitz@potteranderson.com)

John C. Phillips, Jr., Esq.  
Brian E. Farnan, Esq.  
Phillips, Goldman & Spence, P.A.  
1200 N. Broom Street  
Wilmington, DE 19806  
[jcp@pgslaw.com](mailto:jcp@pgslaw.com)  
[bef@pgslaw.com](mailto:bef@pgslaw.com)

Richard D. Kirk, Esq.  
Thomas H. Kovach, Esq.  
The Bayard Firm  
222 Delaware Avenue, Suite 900  
Wilmington, DE 19899  
[rkirk@bayardfirm.com](mailto:rkirk@bayardfirm.com)  
[tkovach@bayardfirm.com](mailto:tkovach@bayardfirm.com)

Frederick L. Cottrell, III, Esq.  
 Anne Shea Gaza, Esq.  
 Richards, Layton & Finger  
 One Rodney Square  
 P.O. Box 551  
 Wilmington, DE 19899  
[cottrell@rlf.com](mailto:cottrell@rlf.com)  
[gaza@rlf.com](mailto:gaza@rlf.com)

I hereby certify that on January 25, 2006 I have sent the foregoing document to  
 the following non-registered participants in the manner indicated:

**BY E-MAIL**

George F. Pappas, Esq. <a href="mailto:gpappas@cov.com">gpappas@cov.com</a> Roderick R. McKelvie, Esq. <a href="mailto:mckelvie@cov.com">mckelvie@cov.com</a> Christopher N. Sipes, Esq. <a href="mailto:csipes@cov.com">csipes@cov.com</a> Jeffrey B. Elikan, Esq. <a href="mailto:jelikan@cov.com">jelikan@cov.com</a> Covington & Burling 1201 Pennsylvania Avenue, NW Washington, DC 20004	Daniel F. Attridge, P.C. <a href="mailto:dattridge@kirkland.com">dattridge@kirkland.com</a> Edward C. Donovan, Esq. <a href="mailto:edonovan@kirkland.com">edonovan@kirkland.com</a> Kirkland & Ellis LLP 655 15 <sup>th</sup> Street, NW Washington, DC 20005-5793
William A. Rakoczy, Esq. <a href="mailto:wrakoczy@rmmslegal.com">wrakoczy@rmmslegal.com</a> Christine J. Siwik, Esq. <a href="mailto:csiwik@rmmslegal.com">csiwik@rmmslegal.com</a> Amy D. Brody, Esq. <a href="mailto:abrody@rmmslegal.com">abrody@rmmslegal.com</a> Rakoczy Molino Mazzochi Siwik LLP 6 W. Hubbard Street, Suite 500 Chicago, IL 60610	George C. Lombardi, Esq. <a href="mailto:glombardi@winston.com">glombardi@winston.com</a> Taras A. Gracey, Esq. <a href="mailto:tgracey@winston.com">tgracey@winston.com</a> Lynn M. Ulrich, Esq. <a href="mailto:lulrich@winston.com">lulrich@winston.com</a> Brian L. Franklin, Esq. <a href="mailto:bfranklin@winston.com">bfranklin@winston.com</a> Winston & Strawn LLP 35 West Wacker Drive Chicago, IL 60601
Robert J. Gunther, Jr., Esq. <a href="mailto:Robert.gunther@lw.com">Robert.gunther@lw.com</a> James P. Barabas, Esq. <a href="mailto:james.barabas@lw.com">james.barabas@lw.com</a> Latham & Watkins LLP 885 Third Avenue, Suite 1000 New York, NY 10022-4802	Stuart D. Sender, Esq. <a href="mailto:ssender@budd-larner.com">ssender@budd-larner.com</a> Budd Larner, P.C. 150 John F. Kennedy Parkway Short Hills, NJ 07078

<p>Alan H. Bernstein, Esq. (<a href="mailto:ahbernstein@crbcp.com">ahbernstein@crbcp.com</a>) Robert S. Silver, Esq. (<a href="mailto:rssilver@crbcp.com">rssilver@crbcp.com</a>) Mona Gupta, Esq. (<a href="mailto:mgupta@crbcp.com">mgupta@crbcp.com</a>) William J. Castillo, Esq. (<a href="mailto:wjcastillo@crbcp.com">wjcastillo@crbcp.com</a>) Caesar, Rivise, Bernstein, Cohen &amp; Pokotilow, Ltd. 1635 Market Street, 12<sup>th</sup> Floor Philadelphia, PA 19103</p>	
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/s/ Philip A. Rovner  
Philip A. Rovner (#3215)  
Potter Anderson & Corroon LLP  
Hercules Plaza  
P. O. Box 951  
Wilmington, DE 19899  
(302) 984-6000  
[provner@potteranderson.com](mailto:provner@potteranderson.com)

704486